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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 ROBERT MITCHELL,

7 Plaintiff,

8 v.

9 ROBERT W. POWERS, PH.D., et al,

10 Defendants.

Case No. C09-5504RBL-KLS

ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS

11
12 The Court, having reviewed plaintiff's application to proceed *in forma pauperis*, does
13 hereby find and ORDER.

14 Plaintiff's declaration indicates he is unable to afford the Court's filing fee or give
15 security therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. As
16 set forth below, an initial partial filing fee will be collected, and plaintiff is required to
17 make monthly payments of 20 percent of the preceding months income credited to his/her
18 account until the full amount of the filing fee is satisfied.

19 Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma*
20 *pauperis*, the agency having custody of the above named plaintiff is directed to calculate an
21 initial partial filing fee equal to 20 percent of greater of – the average monthly deposits to the
22 prisoner's account or the average monthly balance in the prisoner's account for the 6-month
23 period immediately preceding the date of this Order. The initial partial filing fee should be
24 forwarded to the Clerk as soon as practicable.

1 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is
2 directed to collect and forward payments equal to 20 percent of the prisoner's preceding month's
3 income credited to the prisoner's account. In the event that the monthly payment would reduce
4 the prisoner's account below \$10.00, the agency should collect and forward only that amount
5 which would reduce the prisoner's account to the \$10.00 level. Please note that this \$10.00 limit
6 does not apply to the initial partial filing fee described above. Finally, the monthly payments
7 should be collected and forwarded to the court until the entire filing fee (\$350.00) for this matter
8 has been paid.
9

10 The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a
11 copy of this Order along with a copy of plaintiff's Acknowledgement and Authorization portion
12 of the IFP application to the attention of the inmate account manager (IFP account manager at
13 the Department of Corrections).
14

15 DATED this 15th day of September, 2009.
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19 Karen L. Strombom
20 United States Magistrate Judge
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